

Page 1 of 19  
Permit No. ST-7398  
Issuance Date: August 27, 2004  
Effective Date: August 27, 2004  
Expiration Date: August 27, 2009

STATE WASTE DISCHARGE PERMIT

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY  
Northwest Regional Office  
3190 - 160th Avenue SE  
Bellevue, WA 98008-5452

In compliance with the provisions of the  
State of Washington Water Pollution Control Law  
Chapter 90.48 Revised Code of Washington, as amended,  
and  
the Federal Water Pollution Control Act  
(The Clean Water Act)  
Title 33 United States Code, Section 1251 et seq.,  
authorizes

**US NAVY – NAVAL AIR STATION, WHIDBEY ISLAND**  
NAS Whidbey Environmental Affairs Department  
Code N44, Bldg 113  
1155 W. Lexington Street  
Oak Harbor, WA 98278-3800

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Facility Address:  
1155 W. Lexington Street  
Oak Harbor, WA 98278-3800  
Island County  
Snohomish WQMA, WRIA 07

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Facility Location:  
Latitude: 47° 17' 00" N  
Longitude: 122° 37' 00" W

Industry Type:  
Fuel Storage, Boat Washing,  
Ordnance Area Washdown,  
Gas Station

Publicly Owned Treatment Works  
(POTW) Receiving Discharge:  
City of Oak Harbor Wastewater  
Treatment Plant

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to discharge wastewater in accordance with the Special and General Conditions which follows.

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Kevin C. Fitzpatrick  
Water Quality Section Manager  
Northwest Regional Office  
Washington State Department of Ecology

## TABLE OF CONTENTS

<b>SUMMARY OF SCHEDULED PERMIT REPORT .....</b>	<b>4</b>
<b>S1. DISCHARGE LIMITATIONS.....</b>	<b>5</b>
A. <i>Footing Drains From Underground Tanks in Fuel Farms 1 (Outfall 001) and 2 (Outfall 002).....</i>	<i>5</i>
B. <i>Boat Wash Wastewater from the Morale Welfare/Recreation (Outfall 003) &amp; Explosive Ordnance Detachment Areas (Outfall 004) .....</i>	<i>5</i>
<b>S2. MONITORING REQUIREMENTS .....</b>	<b>6</b>
A. <i>Footing Drains Monitoring for Fuel Farms 1 (Outfall 001) and 2 (Outfall 002) .....</i>	<i>6</i>
B. <i>Pressure Wash Wastewater and Contaminated Stormwater Monitoring for the Morale Welfare/Recreation (Outfall 003) and Explosive Ordnance Detachment Areas (Outfall 004). .....</i>	<i>6</i>
C. <i>Wastewater Monitoring for the Citgo Gas Station (Outfall 005) .....</i>	<i>6</i>
D. <i>Laboratory Accreditation .....</i>	<i>6</i>
E. <i>Analytical Procedures.....</i>	<i>7</i>
<b>S3. REPORTING AND RECORDKEEPING REQUIREMENTS .....</b>	<b>7</b>
A. <i>Reporting .....</i>	<i>7</i>
B. <i>Records Retention .....</i>	<i>8</i>
C. <i>Recording of Results .....</i>	<i>8</i>
D. <i>Additional Monitoring by the Permittee .....</i>	<i>8</i>
E. <i>Noncompliance Notification .....</i>	<i>9</i>
F. <i>Dangerous Waste Discharge Notification .....</i>	<i>9</i>
G. <i>Spill Notification .....</i>	<i>9</i>
<b>S4. OPERATION AND MAINTENANCE .....</b>	<b>9</b>
<b>S5. BEST MANAGEMENT PRACTICES FOR CITGO GAS STATION AND FUEL FARMS 1 AND 2 ACTIVITIES.....</b>	<b>11</b>
<b>S6. BEST MANAGEMENT PRACTICES FOR BOAT WASHING AND REPAIRING ACTIVITIES .....</b>	<b>12</b>
A. <i>General Requirements .....</i>	<i>12</i>
B. <i>Upland Vessel Maintenance and Repair .....</i>	<i>12</i>
C. <i>Chemical, Paint, and Oil Management .....</i>	<i>13</i>
<b>S7. PROHIBITED DISCHARGES.....</b>	<b>13</b>
A. <i>General Prohibitions .....</i>	<i>13</i>
B. <i>Specific Prohibitions.....</i>	<i>13</i>
C. <i>Prohibited Unless Approved.....</i>	<i>14</i>
<b>S8. DILUTION PROHIBITED.....</b>	<b>14</b>
<b>S9. SOLID WASTE DISPOSAL.....</b>	<b>15</b>
A. <i>Solid Waste Handling .....</i>	<i>15</i>
B. <i>Leachate.....</i>	<i>15</i>
<b>S10. SPILL PLAN.....</b>	<b>15</b>

**GENERAL CONDITIONS**

G1. SIGNATORY REQUIREMENTS .....	16
G2. RIGHT OF ENTRY .....	17
G3. PERMIT ACTIONS .....	17
G4. REPORTING A CAUSE FOR MODIFICATION .....	17
G5. PLAN REVIEW REQUIRED .....	17
G6. COMPLIANCE WITH OTHER LAWS AND STATUTES .....	18
G7. DUTY TO REAPPLY .....	18
G8. PERMIT TRANSFER .....	18
G9. REDUCED PRODUCTION FOR COMPLIANCE .....	18
G10. REMOVED SUBSTANCES .....	18
G11. PAYMENT OF FEES .....	18
G12. PENALTIES FOR VIOLATING PERMIT CONDITIONS .....	19

### **SUMMARY OF SCHEDULED PERMIT REPORT**

Refer to the Special and General Conditions sections of this permit for unscheduled submittal requirements.

<b>Permit Section</b>	<b>Submittal</b>	<b>Frequency</b>	<b>First Submittal Date</b>
S3.A.	Discharge Monitoring Report	Quarterly	October 15, 2004
G7.	Application for Permit Renewal	1/permit cycle	February 27, 2009

## S1. DISCHARGE LIMITATIONS

All discharges and activities authorized by this permit shall be consistent with the terms and conditions of this permit. The discharge of any pollutant or volume more frequently than, or at a concentration in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit.

A. Footings Drains from Underground Tanks in Fuel Farms 1 (Outfall 001) and 2 (Outfall 002)

Beginning on the effective date and lasting through the expiration date of this permit, the Permittee is authorized to discharge treated wastewater to the City of Oak Harbor POTW sewer system subject to the following limitations:

<b>EFFLUENT LIMITATIONS<sup>a</sup> for Outfall 001 and 002</b>	
<b>Parameter</b>	<b>Maximum Daily<sup>b</sup></b>
pH	between 6 and 10 standard units
TPH-D	50 mg/L
<sup>a</sup> The point of compliance shall be at the end of treatment and prior to discharge to the sanitary sewer.	
<sup>b</sup> The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day.	

B. Boat Wash Wastewater From the Morale Welfare/Recreation Area (Outfall 003) and Washdown Water from the Explosive Ordnance Detachment Areas (Outfall 004)

Beginning on the effective date and lasting through the expiration date of this permit, the Permittee is authorized to discharge treated wastewater from the above activities to the City of Oak Harbor sanitary sewer system subject to the following limitations:

<b>EFFLUENT LIMITATIONS<sup>a</sup> for Outfall 003 and 004</b>	
<b>Parameter</b>	<b>Maximum Daily<sup>b</sup></b>
Total Copper	2.4 mg/L
Total Zinc	3.3 mg/L
Total Lead	1.2 mg/L
<sup>a</sup> The point of compliance shall be at the end of treatment and prior to discharge to the sanitary sewer.	
<sup>b</sup> The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. The daily discharge is the average measurement of the pollutant over the day.	

## S2. MONITORING REQUIREMENTS

The Permittee shall monitor the wastewater according to the following schedule:

No monitoring is required when there is no discharge.

### A. Footing Drains Monitoring for Fuel Farms 1 (Outfall 001) and 2 (Outfall 002)

Parameter <sup>1</sup>	Units	Sampling Frequency	Sample Type
Flow	gpd	Monthly	Estimated or metered
pH	Standard Units	Once every 2 months	Grab
TPH-D	mg/L	Once every 2 months	Grab

### B. Boat Wash Wastewater Monitoring for the Morale Welfare/Recreation Area (Outfall 003) and Washdown Water Monitoring for the Explosive Ordnance Detachment Areas (Outfall 004)

Parameter <sup>1</sup>	Units	Sampling Frequency	Sample Type
Total Copper	mg/l	One sample in June and one in September	Grab
Total Zinc	mg/l	One sample in June and one in September	Grab
Total Lead	mg/l	One sample in June and one in September	Grab

### C. Wastewater Monitoring for the Citgo Gas Station (Outfall 005)

Parameter <sup>1</sup>	Units	Sampling Frequency	Sample Type
Flow	gpd	Monthly	Estimated
BTEX	µg/L	Quarterly	Grab
TPH-G	mg/L	Quarterly	Grab

<sup>1</sup> The sampling point shall be at the final oil water separator and prior to discharge to sanitary sewer.

### D. Laboratory Accreditation

All monitoring data shall be prepared by a laboratory registered or accredited under the provisions of, *Accreditation of Environmental Laboratories*, Chapter 173-50 WAC. Flow, temperature, settleable solids, conductivity, pH, and internal process control parameters are exempt from this requirement. Conductivity and pH shall be accredited if the laboratory must otherwise be registered or accredited.

E. Analytical Procedures

Samples and measurements taken to meet the requirements of this permit shall be representative of the volume and nature of the discharged parameters, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets and maintenance-related conditions affecting effluent quality.

Sampling and analytical methods used to meet the water and wastewater monitoring requirements specified in this permit shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136 or to the latest revision of *Standard Methods for the Examination of Water and Wastewater* (APHA), unless otherwise specified in this permit or approved in writing by the Department.

Metals shall be measured using EPA Method 200.2 or 200.8 (ICP/MS) or an approved equivalent method which has a detection limit low enough to demonstrate compliance with the permit limits.

BTEX shall be measured as the sum of benzene, toluene, ethylbenzene, and xylenes using EPA Method 624 or Method SW 8020, or approved equivalent method(s).

TPH-G and TPH-D (Total Petroleum Hydrocarbons, gasoline-range and diesel-range) shall be measured using approved Method NW TPH-G<sub>x</sub> and NW TPH-D<sub>x</sub>. Discussion of the test method for TPH is contained in Analytical Methods for Petroleum Hydrocarbons Publication No. ECY 97-602, June 1997.

**S3. REPORTING AND RECORDKEEPING REQUIREMENTS**

The Permittee shall monitor and report in accordance with the following conditions. The falsification of information submitted to the Department shall constitute a violation of the terms and conditions of this permit.

A. Reporting

The first monitoring period begins on the effective date of the permit. Monitoring results shall be submitted quarterly. Monitoring results obtained during the previous three (3) months shall be reported on the monthly forms as provided, or otherwise approved, by the Department, and be submitted no later than the 15<sup>th</sup> day of the month following the completed reporting period, unless otherwise specified in this permit. One report shall be completed for each month. Reports are due January 15, April 15, July 15, and October 15 of each year. The first report is due October 15, 2004.

The report shall be sent to:

WA State Department of Ecology  
Northwest Regional Office  
3190 - 160th Avenue SE  
Bellevue, Washington, 98008-5452

In addition, the report shall also be sent to:

Mr. Robert Jarski  
Oak Harbor POTW  
865 SE Barrington Drive  
Oak Harbor, WA 98277

Discharge Monitoring Report forms must be submitted quarterly whether or not the facility was discharging. If there was no discharge or the facility was not operating during a given monitoring period, submit the form as required with the words "no discharge" entered in place of the monitoring results.

B. Records Retention

The Permittee shall retain for a minimum of three (3) years all records of monitoring activities and results, including all reports of recordings from continuous monitoring instrumentation. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Director.

C. Recording of Results

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place, method, and time of sampling; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit using test procedures specified by Condition S2. of this permit, then the results of this monitoring shall be included in calculation and reporting of the data submitted in the Permittee's self-monitoring reports.

E. Noncompliance Notification

In the event the Permittee is unable to comply with any of the permit terms and conditions due to any cause, the Permittee shall:



1. Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the violation, and correct the problem;
2. Repeat sampling and analysis of any violation and submit the results to the Department within thirty (30) days after becoming aware of the violation;
3. Immediately notify the Department and the local sewage treatment plant manager of the failure to comply; and
4. Submit a detailed written report to the Department within thirty (30) days (five [5] days for upsets and bypasses), unless requested earlier by the Department. The report should describe the nature of the violation, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of the resampling, and any other pertinent information.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

F. Dangerous Waste Discharge Notification

The Permittee shall notify the POTW and the Department in writing of the intent to discharge into the POTW any substance designated as a dangerous waste in accordance with the provisions of WAC 173-303-070. This notification shall be made at least ninety (90) days prior to the date that discharge is proposed to be initiated.

G. Spill Notification

The Permittee shall notify the POTW immediately (as soon as discovered) of all discharges that could cause problems to the POTW, such as process spills and unauthorized discharges (including slug discharges).

**S4. OPERATION AND MAINTENANCE**

The Permittee shall at all times be responsible for the proper operation and maintenance of Fuel Farms 1 and 2, Boat Washing Areas, Ordnance Detachment Areas, and Citgo Gas Station to achieve compliance with the terms and conditions of the permit.

Bypass Procedures

The Permittee shall immediately notify the Department and the receiving POTW of any spill, overflow, or bypass from any portion of the collection or treatment system.

The bypass of wastes from any portion of the treatment system is prohibited unless one of the following conditions (1, 2, or 3) applies:

1. Unavoidable Bypass—Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. “Severe property damage” means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.

If the resulting bypass from any portion of the treatment system results in noncompliance with this permit, the Permittee shall notify the Department and the receiving POTW in accordance with condition S3.E “Noncompliance Notification.”

2. Anticipated Bypass That Has the Potential to Violate Permit Limits or Conditions—Bypass is authorized by an administrative order issued by the Department. The Permittee shall apply to the Department for the administrative order and submit written notice to the POTW at least thirty (30) days before the planned date of bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Department will consider the following prior to issuing an administrative order:
  - a. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of the permit.
  - b. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.
  - c. If the bypass is planned and scheduled to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, the Department will approve or deny the request. The public shall be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Approval of a request to bypass will be by administrative order issued by the Department under RCW 90.48.120.

3. Bypass for Essential Maintenance Without the Potential to Cause Violation of Permit Limits or Conditions—Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations of limitations or other conditions of the permit, a violation of a pretreatment standard or requirement, or adversely impact public health as determined by the Department prior to the bypass.

**S5. BEST MANAGEMENT PRACTICES FOR THE CITGO GAS STATION AND FUEL FARMS 1 AND 2 ACTIVITIES**

1. To prevent fuel spills from discharging to the stormwater system, the fueling area must be paved and gravity sloped to a trench drain or a catch basin that is connected to the sanitary sewer or a dead-end sump with a minimum capacity of fifty (50) gallons.
2. In the case of a significant quantity (greater than 1 gallon) fuel spill, the Department requires the spilled fuel to be pumped from the drains or catch basin and must be treated and disposed of properly.
3. Best management practices shall be employed at the pump dispensers to collect oil spillage when making and breaking hose connections, and to prevent spillage from all hoses, hose reels, and filler nozzles. Containment and other specialized oil cleanup equipment shall be available at all times for immediate emergency use.
4. All detergent washing of vehicles shall be conducted on established wash racks which drain into the sanitary sewer.
5. The oil water separators shall be inspected on a weekly basis and maintained as needed to ensure satisfactory performance during rainy months and monthly during summer months. Oil sludges shall be disposed of in a manner that will not cause water quality degradation to state waters. A record of inspection, maintenance, and disposal shall be kept on file and available for review by the Department.
6. Storm water collected from the product storage tank's footing drain system in the tank farm areas shall be directed to the existing oil water separators for treatment prior to discharge, unless otherwise approved by the Department.
7. No emulifiers or dispersants and no fire suppression foam agents and wash water shall be released to the oil water separators.

8. Contained, collected, or accumulated oils and solvents shall be discharged directly to either the recycled oil tank for reuse purpose or the waste oil tank and not discharged to the oil water separators or any sewer systems. Records or manifests for the waste oil disposal (hauling) shall be kept at NAS Whidbey Island (Environmental Affairs Department located on Ault Field) and made available for inspection.
9. All tank water drawn shall be hauled off-site for proper disposal.
10. All barrels, drums, or similar containers containing toxic or deleterious materials, including, but not limited to petroleum products, organic solvents, resins, strong acids and bases, cyanides, and heavy metal salts, shall be stored in an upright position, in a bermed, covered area sufficient to prevent discharge into the sanitary sewer system and into ground water in the event of leakage or rupture.
11. Empty barrels shall be stored with all openings plugged, in an upright position, and at least twenty feet from a storm drain.

**S6. BEST MANAGEMENT PRACTICES FOR BOAT WASHING AND REPAIRING ACTIVITIES**

**A. General Requirements**

Permittees shall implement the applicable source reduction and best management practices (BMPs) included in this section. Boatyard employees, contractors, boat owners, and other customers shall be informed and provided copies of these BMPs. The BMPs shall be posted conspicuously within the work areas.

**B. Upland Vessel Maintenance and Repair**

When stripping, sanding, scraping, grinding, sandblasting, painting, coating, and/or varnishing any portion of a vessel, all particles, oils, grits, dusts, flakes, chips, drips, sediments, debris, and other solids shall be collected and managed to prevent their release into the environment and entry into waters of the state.

Drop cloths, tarpaulins, structures, drapes, shrouding, or other protective devices shall be secured around the vessel to collect all such materials. The cleanup of all collected materials shall be routinely undertaken to prevent their release into the environment and entry into waters of the state. The use of vacuum sanders is recommended as a means to greatly reduce the amount of particulate released into the environment.

C. Chemical, Paint, and Oil Management

1. Paint and Solvent Use

Paints and solvents shall be used in such a manner as to prevent their release into the environment and entry into the sanitary sewer system and into ground water. Drip pans, drop cloths, tarpaulins, or other protective devices shall be used during surface preparation, paint and solvent transfer, paint mixing, and application unless completely enclosed in a building.

When painting over water, paint shall be kept in a one-gallon can or less. Paint cans shall be placed in a drip pan on top of a drop cloth or tarpaulin. Paints and solvents shall not be mixed over the water.

2. Oils and Bilge Water Management

Hydraulic fluids, oily wastes, and petroleum products shall not be discharged to the sanitary sewer system or into the ground without proper treatment.

Bilge waters shall not be discharged into the sanitary sewer system or into the ground if solvents, detergents, emulsifying agents, or dispersants have been added.

**S7. PROHIBITED DISCHARGES**

A. General Prohibitions

The Permittee shall not introduce into the POTW pollutant(s) which cause pass through or interference.

B. Specific Prohibitions

In addition, the following shall not be introduced into the POTW:

1. Pollutants which create a fire or explosion hazard in the POTW, including, but not limited to, waste streams with a closed cup flashpoint of less than 60° C (140° F) using the test methods specified in 40 CFR 261.21;
2. Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW resulting in interference;
3. Any pollutant, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW;

4. Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the POTW treatment plant exceeds 40° C (104° F) unless the approval authority, upon request of the POTW, approves alternative temperature limits;
5. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through;
6. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
7. Any trucked or hauled pollutants, except at discharge points designated by the POTW;
8. Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 6.0 or greater than 10.0.

C. Prohibited Unless Approved

1. Any of the following discharges are prohibited unless approved by the Department under extraordinary circumstances (such as a lack of direct discharge alternatives due to combined sewer service or a need to augment sewage flows due to septic conditions):
  - a. Noncontact cooling water in significant volumes.
  - b. Storm water and other direct inflow sources, except for the stormwater collected from the sump located within the treatment pad compound.
  - c. Wastewaters significantly affecting system hydraulic loading, which do not require treatment or would not be afforded a significant degree of treatment by the system.
2. Unless specifically authorized in this permit, the discharge of dangerous wastes as defined in Chapter 173-303 WAC, is prohibited.

**S8. DILUTION PROHIBITED**

The Permittee shall not dilute the wastewater discharge with stormwater or increase the use of potable water, process water, noncontact cooling water, or, in any way, attempt to dilute an effluent as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in this permit.

**S9. SOLID WASTE DISPOSAL**

A. Solid Waste Handling

The Permittee shall handle and dispose of all solid waste material in such a manner as to prevent its entry into state ground water, surface water, or a POTW.

B. Leachate

The Permittee shall not allow leachate from its solid waste material to enter into ground water without providing all known, available and reasonable methods of treatment, nor allow such leachate to cause violations of the state groundwater quality standards, Chapter 173-200 WAC.

**S10. SPILL PLAN**

The discharge of oils and hazardous materials into the sanitary sewer system or into the ground is strictly prohibited. The Permittee shall submit to the Department an update to the existing spill plan by June 30, 2005.

The updated spill control plan shall include the following:

1. A description of the reporting system which will be used to alert responsible managers and legal authorities in the event of a spill.
2. A description of preventative measures and facilities, including an overall facility plot plan showing drainage patterns, which prevent, contain or treat spills or unpermitted discharges.
3. A list of all oils and chemicals used, processed or stored at the facility which may be spilled or discharged into the sanitary sewer system or into ground water.

## GENERAL CONDITIONS

### G1. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to the Department shall be signed as follows:

- A. All permit applications shall be signed by either a principal executive officer or ranking elected official.
- B. All reports required by this permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
  - 1. The authorization is made in writing by the person described above and is submitted to the Department at the time of authorization, and
  - 2. The authorization specifies either a named individual or any individual occupying a named position.
- C. Changes to authorization. If an authorization under paragraph B.2, above, is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.
- D. Certification. Any person signing a document under this section shall make the following certification:

*“I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”*



**G2. RIGHT OF ENTRY**

Representatives of the Department shall have the right to enter at all reasonable times in or upon any property, public or private, for the purpose of inspecting and investigating conditions relating to the pollution or the possible pollution of any waters of the state. Reasonable times shall include normal business hours; hours during which production, treatment, or discharge occurs; or times when the Department suspects a violation requiring immediate inspection. Representatives of the Department shall be allowed to have access to, and copy at reasonable cost, any records required to be kept under terms and conditions of the permit; to inspect any monitoring equipment or method required in the permit; and to sample the discharge, waste treatment processes, or internal waste streams.

**G3. PERMIT ACTIONS**

This permit shall be subject to modification, suspension, or termination, in whole or in part by the Department for any of the following causes:

- A. Violation of any permit term or condition;
- B. Obtaining a permit by misrepresentation or failure to disclose all relevant facts;
- C. A material change in quantity or type of waste disposal;
- D. A material change in the condition of the waters of the state; or
- E. Nonpayment of fees assessed pursuant to RCW 90.48.465.

The Department may also modify this permit, including the schedule of compliance or other conditions, if it determines good and valid cause exists, including promulgation or revisions of regulations or new information.

**G4. REPORTING A CAUSE FOR MODIFICATION**

The Permittee shall submit a new application, or a supplement to the previous application, along with required engineering plans and reports, whenever a new or increased discharge or change in the nature of the discharge is anticipated which is not specifically authorized by this permit. This application shall be submitted at least sixty (60) days prior to any proposed changes. Submission of this application does not relieve the Permittee of the duty to comply with the existing permit until it is modified or reissued.

**G5. PLAN REVIEW REQUIRED**

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications shall be submitted to the Department for approval in accordance with Chapter 173-240 WAC. Engineering reports, plans, and specifications should be submitted at one hundred eighty (180) days prior to the planned start of construction. Facilities shall be constructed and operated in accordance with the approved plans.

**G6. COMPLIANCE WITH OTHER LAWS AND STATUTES**

Nothing in the permit shall be construed as excusing the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

**G7. DUTY TO REAPPLY**

The Permittee must apply for permit renewal at least one hundred and eighty (180) days prior to the specified expiration date of this permit.

**G8. PERMIT TRANSFER**

This permit is automatically transferred to a new owner or operator if:

- A. A written agreement between the old and new owner or operator containing a specific date for transfer of permit responsibility, coverage, and liability is submitted to the Department;
- B. A copy of the permit is provided to the new owner and the receiving POTW is notified; and
- C. The Department does not notify the Permittee of the need to modify the permit.

Unless this permit is automatically transferred according to Section A, above, this permit may be transferred only if it is modified to identify the new Permittee and to incorporate such other requirements as determined necessary by the Department.

**G9. REDUCED PRODUCTION FOR COMPLIANCE**

The Permittee shall control production or discharge to the extent necessary to maintain compliance with the terms and conditions of this permit upon reduction of efficiency, loss, or failure of its treatment facility until the treatment capacity is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power for the treatment facility is reduced, lost, or fails.

**G10. REMOVED SUBSTANCES**

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall not be resuspended or reintroduced to the effluent stream for discharge.

**G11. PAYMENT OF FEES**

The Permittee shall submit payment of fees associated with this permit as assessed by the Department. The Department may revoke this permit if the permit fees established under Chapter 173-224 WAC are not paid.

**G12. PENALTIES FOR VIOLATING PERMIT CONDITIONS**

Any person who is found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to ten thousand dollars and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit shall incur, in addition to any other penalty as provided by law, a civil penalty for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be and be deemed to be a separate and distinct violation.